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Honorable Lonny R. Suko

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON**

SYLVIA CONDE d/b/a LA
CALANDRIA TORTILLERIA,

Plaintiff,

vs.

QUEZADA BROS., a business entity,
EMELIO QUEZADA, JOEL
QUEZADA, JESUS
NAVARRETTE, EL JAZMIN
DISTRIBUTOR, a business entity,

Defendants.

No. CV-06-171-LRS

ORDER RE PRELIMINARY
INJUNCTION AGAINST
DEFENDANTS

The Motion for Temporary Restraining Order came on for hearing on June 15, 2006. The Court having reviewed the papers and good cause appearing therefor issued a Temporary Restraining Order. The Court set a hearing on the application for a preliminary injunction for July 6, 2006.

The Court having reviewed all papers filed in support of the Motion for the TRO and Preliminary Injunction, as well as any papers filed in

1 opposition to the Motion, and having heard oral argument on the matter
2 from counsel for both parties, the Court finds that Plaintiff has a
3 probability of success on the merits and will suffer irreparable injury to its
4 trademark and trade name "La Calandria" and issues this Order as
5 follows:

6 IT IS HEREBY ORDERED that pending the outcome of this
7 proceeding or subject to further Order of this Court, Defendants
8 QUEZADA BROS., a business entity, EMELIO QUEZADA, JOEL
9 QUEZADA, EL JAZMIN DISTRIBUTOR, a business entity,
10 ("hereinafter "Defendants"), their agents, corporate officers, directors,
11 employees, contractors, successors, subsidiaries, designees, and affiliates,
12 shall be, and hereby are, restrained and enjoined from directly or
13 indirectly promoting, advertising, publicizing in media, marketing, and
14 selling tortilla products under the name "Las Calandrias," or any other
15 name or mark incorporating the name "La Calandria," anywhere in the
16 States of Washington and Oregon. Defendants are to take all reasonable
17 measures to remove any product bearing the name "Las Calandrias" from
18 any market or distributor to which Defendants have sold tortilla products
19 and to notify their customers that no product bearing the name "Las
20 Calandrias" shall be sold or offered for sale in the State of Washington or
21 Oregon.

22 This present Order Re Preliminary Injunction is effective upon
23 filing with the Court as Plaintiff is not required to post an undertaking
24

1 based upon the agreement of the parties that no bond is necessary in this
2 action.

3 IT IS SO ORDERED.

4 DATED June 28th, 2006.

5
6 s/Lonny R. Suko

7
8 UNITED STATES DISTRICT JUDGE

9 Presented by:

10 MINNICK-HAYNER

11
12 By: /s/ David M. Rose
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